

structure "whether the property of" the person and another for clarity and consistency within this subtitle.

Subsection (c) of this section is revised as a prohibited defense rather than as a qualification of affected property for clarity.

Defined terms: "Maliciously" § 6-101

"Person" § 1-101

"Structure" § 6-101

"Willfully" § 6-101

6-104. MALICIOUS BURNING OF PERSONAL PROPERTY IN THE FIRST DEGREE.

(A) SCOPE OF SECTION.

THIS SECTION APPLIES TO A VIOLATION INVOLVING PROPERTY DAMAGE OF \$1,000 OR MORE.

(B) PROHIBITED.

A PERSON MAY NOT WILLFULLY AND MALICIOUSLY SET FIRE TO OR BURN THE PERSONAL PROPERTY OF ANOTHER.

(C) PENALTY.

A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF THE FELONY OF MALICIOUS BURNING IN THE FIRST DEGREE AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT EXCEEDING 5 YEARS OR A FINE NOT EXCEEDING \$5,000 OR BOTH.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 27, § 8(a)(1) and (3).

In subsection (b) of this section, the former reference to another "person" is deleted as implicit and for consistency within this article.

Defined terms: "Maliciously" § 6-101

"Person" § 1-101

"Willfully" § 6-101

6-105. MALICIOUS BURNING OF PERSONAL PROPERTY IN THE SECOND DEGREE.

(A) SCOPE.

THIS SECTION APPLIES TO A VIOLATION INVOLVING PROPERTY DAMAGE OF LESS THAN \$1,000.

(B) PROHIBITED.

A PERSON MAY NOT WILLFULLY AND MALICIOUSLY SET FIRE TO OR BURN THE PERSONAL PROPERTY OF ANOTHER.

(C) PENALTY.